

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JUDITH A. HATFIELD,)	
)	
Plaintiff,)	
)	
v.)	No. 3:03-CV-550
)	(Varlan/Shirley)
JEFF VITATOE, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the undersigned pursuant to 28 U.S.C. § 636(b), the Rules of this Court, and by Order [Doc. 23] of the Honorable Thomas A. Varlan, United States District Judge, for disposition of the Defendants' Motion to Compel Discovery and for Continuance, or in the Alternative, for Extension of Deadline for Filing of Dispositive Motions [Doc. 22].

The defendants move the Court to compel the plaintiff, who is proceeding pro se, to answer the defendants' First Set of Interrogatories and Request for Production of Documents and otherwise participate in discovery in this case. Defendants further request that the trial date be continued at least 60 days and that pretrial deadlines be continued by commensurate amounts of time such that Defendants can submit, if appropriate, a motion for summary judgment 120 days before trial. [Doc. 22].

The subject motion [Doc. 22] was filed on July 1, 2005. The plaintiff to date has not filed a response. "Failure to respond to a motion may be deemed a waiver of any opposition to the relief sought." E.D.TN. LR 7.2.

For good cause shown, the defendants' Motion to Compel [Doc. 22] is **GRANTED**.

The plaintiff is hereby **DIRECTED** to respond to the defendants' First Set of Interrogatories and Request for Production of Documents within twenty (20) days of the entry of this Order. The plaintiff is further **DIRECTED** to contact the defendants' counsel and provide dates on which she can be available for deposition.

For good cause shown, the defendants' request for a continuance of the trial date [Doc. 22] is also **GRANTED**. The trial of this case is **CONTINUED** to **February 14, 2006**. All remaining pretrial deadlines set forth in the Scheduling Order [Doc. 20] are dependent upon the trial date and therefore are also continued accordingly.

The plaintiff is hereby put on notice that failure to cooperate in discovery and to follow the Orders of this Court may result in monetary sanctions and possibly the dismissal of this lawsuit. See Fed. R. Civ. P. 37(b)(2)(C).

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge